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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/647,130	03/05/2001	Dieter Dohring	TURKP0113US	4010

7590 04/09/2002

Don W Bulson  
Renner Otto Boisselle & Sklar  
19th Floor  
1621 Euclid Avenue  
Cleveland, OH 44115

EXAMINER

GALLAGHER, JOHN J

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 04/09/2002

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/647,30

Applicant(s)

Examiner

Group Art Unit

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☐ Responsive to communication(s) filed on \_\_\_\_\_
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-6 is/are pending in the application.
- ☐ Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-6 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☒ All ☐ Some\* ☐ None of the:
  - ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
  - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☒ Other FOREIGN REFERENCE COPY

Office Action Summary

Art Unit 1733

1. Before proceeding further, applicant should note that the IDS paper per se (i.e. the Form PTO-1449), filed 05 March 2002, has been received and made of record; however, copies of the references listed thereon (all of which were state of the art or "Class A" references) were apparently not submitted and, if they were, the undersigned Examiner failed to receive them.

2. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

3. Claim 2 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Specifically, the term "is applied . . . . covering layer" in lines 2-3 of this claim can apparently be deleted as unnecessary and/or redundant.

4. Claims 1 and 3-6 are rejected under 35 U.S.C. § 112, first paragraph, because the specification, while being enabling for the use of a fiber Fleece as the covering layer, does not reasonably provide enablement for the use of just any "fiber material" (the term used in line 7 of claim 1, and which term is seen to encompass within its scope and definition e.g. a layer of loose fibrous material). The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention

Art Unit 1733

commensurate in scope with these claims. These claims are therefore seen to lie outside the scope of applicants' disclosure.

5. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-6 are further rejected under 35 U.S.C. § 103(a) as being unpatentable over the British reference to Watson et al. taken in combination with Holtschmidt et al.

Watson et al. disclose that it is known to produce an (e.g. 2-layer) paper laminate via a process wherein two paper plies are impregnated with a thermosetting (e.g. aminoplast such as a U-F) resin, a layer of gritty (and small sized) particulate material (e.g. emery i.e. corundum or aluminum oxide) is applied to the upper surface of one of the still semi-wet impregnated paper plies (i.e. the lower ply), the two plies are contacted such that the particula<sup>TE</sup>~~te~~ material lies encapsulated therebetween (applicants' envisioned rationale as set forth at page 3 lines 29-30 of their specification), and the composite so formed

Art Unit 1733

subjected to conditions such that the resin impregnant is cured and lamination is effected, the particles providing a <sup>KEY</sup>~~7~~ between the plies which prevents delamination. (Page 1 lines 7-34 (and N.B. line 14) and 43-80 (and N.B. line 56), page 2 lines 2-6).

Holt Schmidt et al. disclose that, in the production of resin impregnated paper laminates of the type shown in Watson et al., it is known to (a) provide at least one of the paper plies with a decorative or ornamental design of <sup>L</sup>~~of~~ patterned surface; and (b) employ (preferably) an M-F resin as the aminoplast employed as the paper impregnant (column 1 lines 21-71 and N.B. lines 29-31 and 58-62), such that it would have been obvious to one of ordinary skill in this art to employ the (1) decorative paper ply; and (2) M-F resin impregnant of Holt Schmidt et al. in the process of Watson et al. in place of the corresponding, analogous materials (i.e. paper and U-F resin impregnant) employed therein, in that (A) the use of such decorative paper sheets is fairly documented as being both known and conventional to those of ordinary skill in this art (e.g. to constitute a matter of obvious and alternative choice and/or expedient<sup>ce</sup>~~is~~ to those so skilled); and (B) both U-F and M-F resins are encompassed within the scope and definition of the term "aminoplast resin" AND also that both of these resins are known and appreciated (e.g. by this art) to constitute so-called "noble resins" (i.e. transparent when ultimately cured); mere substitution of one known set of

Serial No. 09/647,130

-5-

Art Unit 1733

material elements for another such set (and in/from a most similar if not identical environment) involved. ALTERNATIVELY, it would have been obvious to those of ordinary skill in this art to employ the keying technique of Watson et al. (provided for by the interposition of a gritty particulate (e.g. corundum) layer between the paper plies) for this its documented beneficial function and result (viz. delamination prevention) in the lamination process disclosed in Holtschmidt et al. Further regarding all of the foregoing (a) the amount and particle size of the gritty (e.g. corundum) material employed in Watson et al. is held to be well within the purview of those of ordinary skill in this art to determine in order to achieve the desired result (viz. satisfactory lamination); and (b) the (second) paper layer employed by both Watson et al. and Holtschmidt et al. is held to constitute a (cellulosic) fiber fleece material (viz. a fibrous web) as envisioned for use by applicants, as set forth at page 4 lines 24-26 of their specification.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. J. Gallagher whose telephone number is (703) 308-1971. The examiner can normally be reached on M-F from approximately 8:30 A.M. to 5 P.M. The examiner can also be reached on alternate N/A.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Ball, can be

Serial No. 09/647,130

-6-

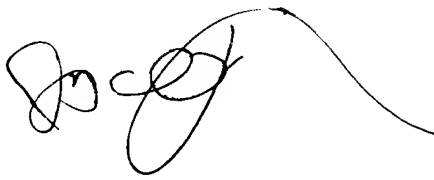
Art Unit 1733

reached on (703) 308-2058. The fax phone number for this Group  
is (703) <sup>872-9310</sup> ~~305-3599~~.

Any inquiry of a general nature or relating to the  
status of this application or proceeding should be directed to  
the Group receptionist whose telephone number is (703)  
308-0661/0662.

<sup>JJG</sup>  
JJGallagher:cdc

March 20, 2002



JOHN J. GALLAGHER  
PRIMARY EXAMINER  
ART UNIT ~~181~~ 1733